

Before the
FEDERAL COMMUNICATIONS COMMISSION
 Washington, DC

In the matter of:)	
)	MM Docket 99-147
Amendment of the FM Table)	RM-9555
of Allotments)	(Congress, AZ)
)	

COMMENTS OF REC NETWORKS

DISCUSSION

REC Networks ("REC") opposes the addition of Channel 242A to the Table of Allotments for Congress, Arizona. The NPRM indicates that the population of Congress is 90 people, which in our opinion, is not enough people to support a Class-A facility.

OTHER FM SERVICES IN THE COMMUNITY

After doing some additional research, we have found that Congress is within the 60 dBu contour of non-commercial educational stations in Phoenix (KBAQ-89.5) and Prescott (KGCB-90.9) as well as within the 60 dBu contour of commercial stations in Wickenburg (KSWG-94.1 & KMYL-105.3), Yarnell (vacant allotment 11km away), Prescott (KAHM-102.1), Prescott Valley (KPPV-106.7), Glendale (KWCY-103.5) and Sun City (KEDJ-106.3). As you can see, Congress is well served by full power FM services in neighboring communities.

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THE TOWN OF WICKENBURG

Within the predicted 60 dBu contour (28.3 km) of Congress for a Class A, we find that the Town of Wickenburg will be fully covered by this allotment. The Town of Wickenburg currently has two allotments and can also receive 60 dBu FM service from 3 commercial and 2 non-commercial educational stations outside Wickenburg. The population of Wickenburg is 4,515 (1990 Census) and the surrounding Maricopa county subdivision has a population of 28,026. Congress is actually in Yavapai County. In our opinion, we feel that the petitioner may be attempting to use the community of Congress in order to put another station into the Wickenburg market since Congress is closer than the other communities outside of Wickenburg but within their 60 dBu contour.

Wickenburg is approximately 30 km (18 miles) from Congress.

OVERVIEW OF CONGRESS, AZ

Congress does have a local post office (no street delivery just PO boxes), volunteer fire department, public library (open 4 hours a day, 4 days a week) and a water improvement district. Congress receives other county services from Yavapai County (the county seat is in Prescott) but based on its location, Congress appears to be more dependent on Wickenburg for goods and services in the private sector.

REC Networks objects to the fact that the petitioner is not local and questions the type of local service the petitioner plans to provide to the citizens of Congress, Arizona.

ADDITIONAL IMPACT BY THE GRANT OF THIS ALLOTMENT

Even though it is not cause for denial, the proposed allotment in Congress would overlap the interference contour of K242AC in Bagdad. K242AC is a translator which carries non-commercial educational station KJZZ from Mesa, AZ. This translator provides the only non-commercial educational service within the 60dBu protected contour of Bagdad. By permitting this allotment on Channel 242A, we would be causing Cyprus Bagdad Copper Company, licensee of K242AC undue expense of conducting a frequency search, filing for a construction permit for a new channel and having to modify its translator to the new output frequency. We realize that this translator is secondary but the displacement of this translator would interfere with the only non-commercial educational service in the small mining town of Bagdad (population 1858) and would have a much larger public interest impact than the assignment of a commercial channel for a population of 90.

ALTERNATIVES FOR CONGRESS

For now, we urge the two stations in Wickenburg as well as the stations in Prescott and Prescott Valley to continue providing service to Congress. For the future, we recommend that if the community of Congress is interested in a local radio service, they should consider the Low Power Radio Service which is currently being proposed in MM Docket 99-25. According to REC Networks and Arizona Microradio Association research, based on REC's proposals for LPFM, there are an ample number of channels available in all power ranges from 10 to 1000 watts in Congress. Based on the interference standards

that REC is proposing, the next adjacent channel, Channel 243, would be available to Congress with a 1000 watt power limit (LP-1000/REC Class A1).

CONCLUSIONS

In this filing, we have proven that Congress, AZ is already well served by two FM stations from the county seat (Prescott/Prescott Valley), receives non-commercial educational FM service from Prescott and receives two commercial FM services from Wickenburg, the community Congress appears to be most dependent on economically.

In this filing, we are still unclear as to what additional contribution to the community that this allotment would bring. We are very concerned about the degree of local service the petitioner plans to provide to this community considering that the petitioner currently has several other open dockets for allotments in Colorado and Hawaii with a combined population (including Congress) of 7,205.

We feel that the needs of Congress are being well served by FM stations in Wickenburg and Prescott and would be better served by the primary Low Power FM (LPFM) service being proposed by the Commission in MM Docket 99-25.

In this filing, even though we are aware that this is not legal grounds for the denial of this allotment, the translator which provides the only non-commercial educational service to Bagdad, a community of 1,858 (much larger than Congress) would be displaced. REC Networks is concerned over this inconvenience that would be caused to this vital service.

Based on the first three reasons listed above, we urge the Commission to DENY the request to add Channel 242A to Congress, Arizona on the FM Table Of Allotments.

Respectfully Submitted,

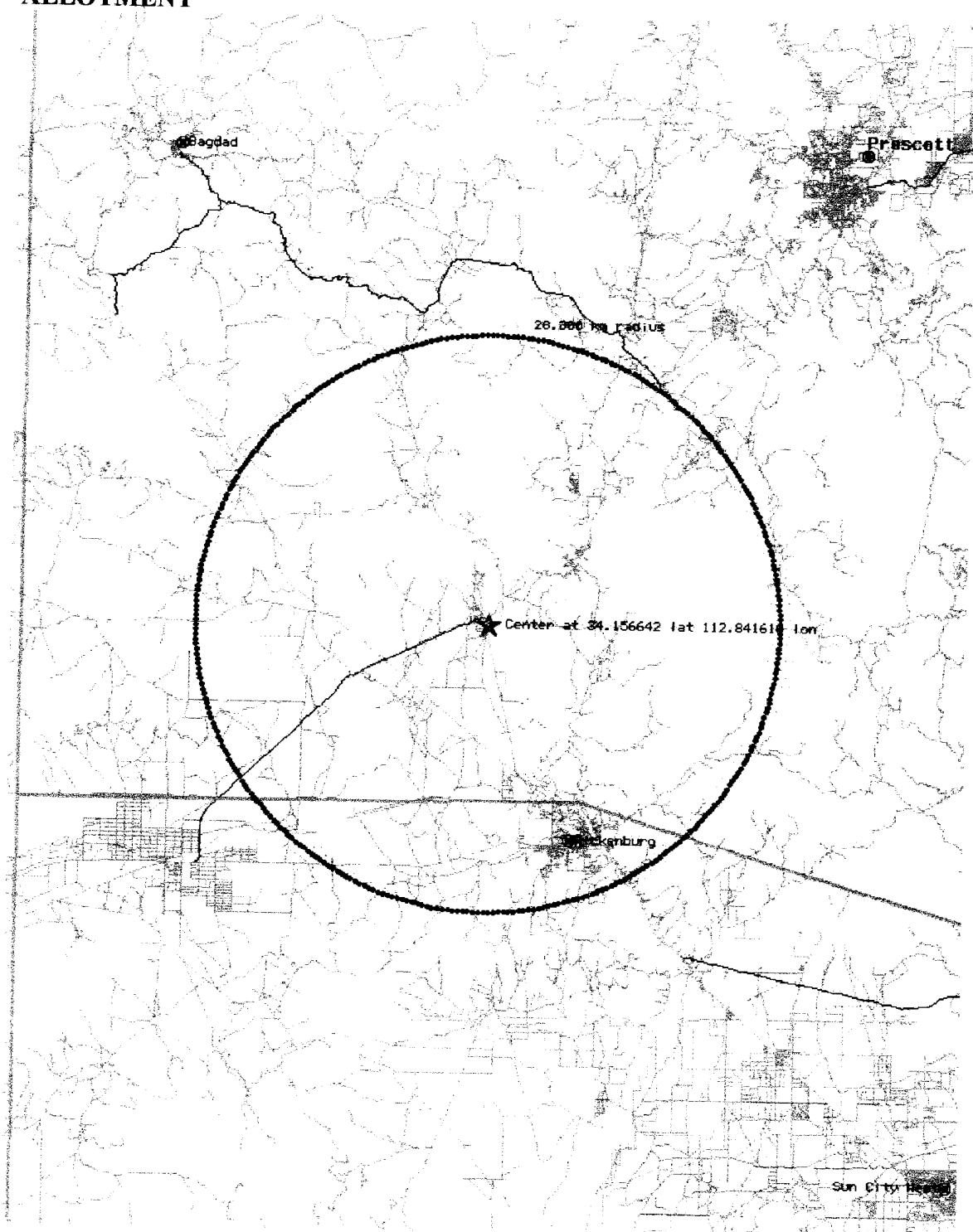


Richard Eyre
REC Networks
P O Box 2408
Tempe, AZ 85280-2408
lpfm@recnet.com

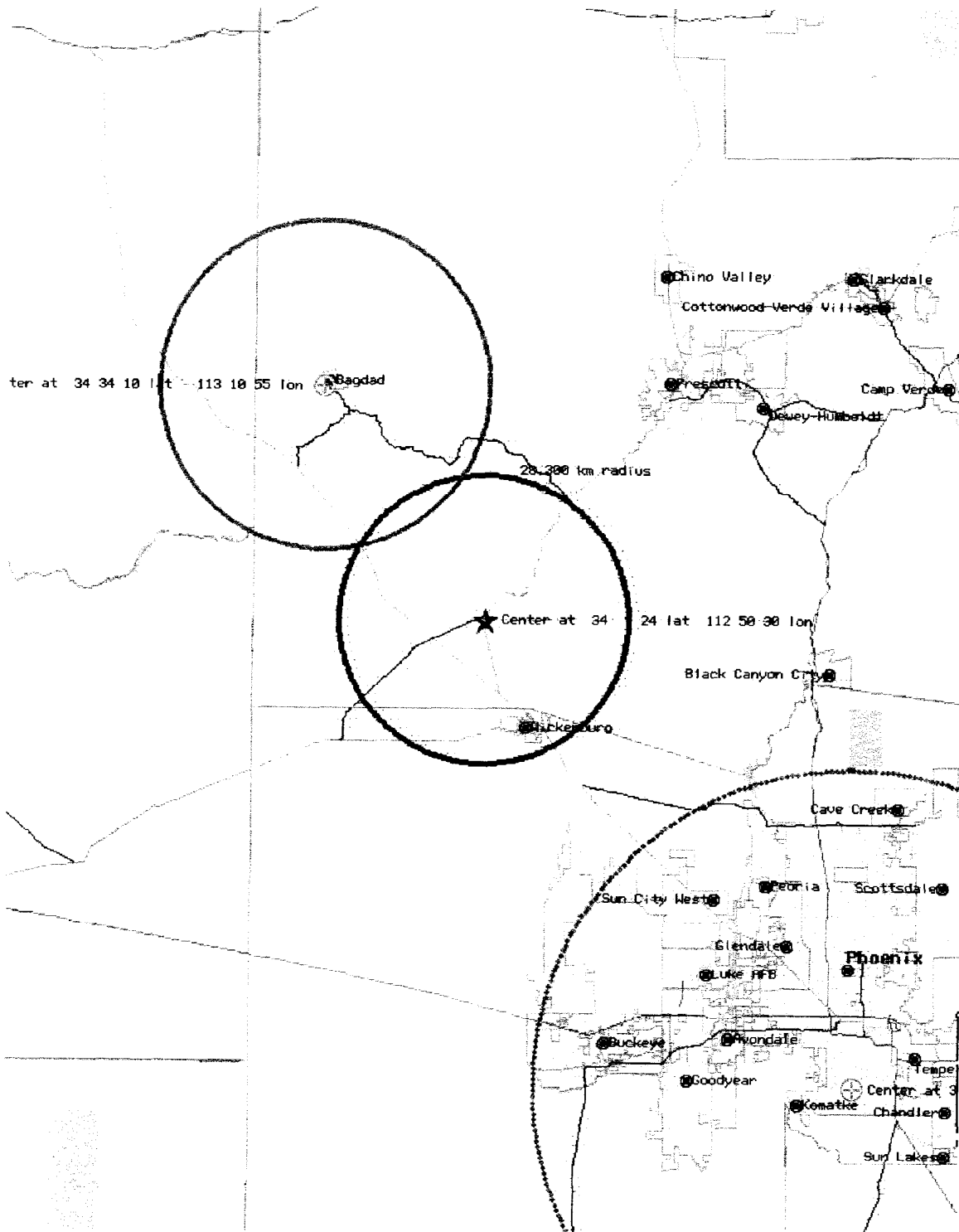
<http://www.recnet.com/rec/lpfm>

attachments & Certificate of Service

APPENDIX A – 60dBu PROTECTED CONTOUR OF THE PROPOSED ALLOTMENT



APPENDIX B – 60 dBu PROTECTED CONTOUR OF PROPOSED ALLOTMENT AS WELL AS 40dBu INTERFERENCE CONTOURS OF OTHER CO-CHANNEL TRANSLATORS.



CERTIFICATE OF SERVICE

This is to certify that a copy of these comments has been served on the petitioner:

**MOUNTAIN WEST BROADCASTING
C/O VICTOR A MICHAEL, JR.
6807 FOXGLOVE DR.
CHEYENNE, WY 82009**

May 27, 1999